

**7484. Misbranding of Noxit Injection. U. S. \* \* \* v. 30 Bottles of \* \* \* Noxit, an Injection. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10823. I. S. No. 2188-r. S. No. W-435.)

On July 8, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 bottles of \* \* \* Noxit, an injection, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about March 22, 1919, by Frederick F. Ingram Co., Detroit, Mich., and transported from the State of Michigan into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Noxit an injection \* \* \*;" (circular) "Noxit an injection \* \* \* for the treatment of Gonorrhoea (Clap) and Gleet \* \* \*."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of a zinc salt, opium, berberine, glycerin, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements, appearing on the labels of the bottles or packages, and representing the article as a treatment for gonorrhoea and gleet, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it.

On October 23, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7485. Adulteration of loganberry pulp. U. S. \* \* \* v. 38 Cases of An Article of Food \* \* \*. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10557. I. S. No. 15724-r. S. No. E-1539.)

On June 11, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 38 cases of an article of food labeled in part, "Loganberry Pulp," consigned on May 17, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by F. M. Ball & Co., San Francisco, Calif., and transported from the State of California into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On September 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7486. Misbranding of Moreau's Wine of Anise. U. S. \* \* \* v. 6 Dozen Bottles of Moreau's Wine of Anise. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10558. I. S. No. 13019-r. S. No. E-1530.)

On June 12, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the

seizure and condemnation of 6 dozen bottles of Moreau's Wine of Anise, consigned on February 28, 1919, and January 31, 1919, by the Lafayette Co., Berlin, N. H., remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped and transported from the State of New Hampshire into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Wrapper, in English) "Moreau's Wine of Anise Compound For Children. Contains 8 per cent Alcohol  $\frac{1}{4}$  Grain Acetate Morphine per ounce. This mild, medicated, sweetened Wine is given to children in cases of Colic, Diarrhœa, Dysentery, Indigestion, Sour Stomach, Vomiting, Cold, Coughs, Painful Dentition, Irritable, Fretful and Sleepless children;" (wrapper, in French) "Moreau's Wine of Anise Compound For Children. \* \* \* This Wine of Anise Compound aids in calming and procuring sleep in children who suffer from Colic, Diarrhœa, Dysentery, Indigestion, Sour Stomach, Vomiting, Coughs, Cold, Painful Dentition, Loss of Sleep, Nervousness and Irritability;" (bottle) same statements as on wrapper in English and French, with following additional in both languages, "To weak children \* \* \* For babies cutting teeth."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it contained 0.30 grain of morphine acetate per fluid ounce and 7.32 per cent by volume of alcohol, oil of anise, and water.

Misbranding of the article was alleged in the libel of information for the reason that the article purported to contain  $\frac{1}{4}$  grain acetate morphine per ounce, which said statement was false and misleading, and for the further reason that the package failed to bear a statement on the label of the quantity or proportion of acetate morphine contained therein. Misbranding of the article was alleged for the further reason that the statements borne on the wrapper and bottle label, as above set forth, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On July 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7487. Adulteration and misbranding of olive oil (so called). U. S. \* \* \***  
**v. 36  $\frac{1}{2}$ -Gallon Cans of Olive Oil (So Called). Consent decree of**  
**condemnation and forfeiture. Product ordered released on bond.**  
(F. & D. No. 10777. I. S. No. 14212-r. S. No. E-1593.)

On July 1, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36  $\frac{1}{2}$ -gallon cans of olive oil (so called), remaining unsold in the original unbroken packages at Waterbury, Conn., alleging that the article had been shipped on or about April 11, 1919, by the Southern Importing Co., New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Table Oil."

Adulteration of the article was alleged in substance in the libel for the reason that another oil, to wit, cottonseed oil, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the article purporting to be olive oil.